

AN ACT

ENTITLED, An Act to establish the regents scholarship program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 13-55 be amended by adding thereto a NEW SECTION to read as follows:

There is established the regents scholarship program to be administered by the Board of Regents. The purpose of the program is to allow South Dakota's most academically accomplished high school graduates to receive an affordable education at any university, college, or technical school that is accredited by the North Central Association of Colleges and Schools and that provides instruction from a campus located in South Dakota.

Section 2. In order to be eligible for a regents scholarship award, a student shall:

- (1) Be a resident of South Dakota at the time of graduation from high school;
- (2) Have a composite score of 24, or higher, on the test administered by the American College Testing Program or a verbal-mathematics score of 1070-1100, on the Scholastic Assessment Test and the ACT or SAT test shall be taken before the student graduates from high school;
- (3) Meet the high school course requirements as provided in Board of Regents Policy Number 2:3(2)(F) as in effect on January 1, 2003;
- (4) Attend a university, college, or technical school that is accredited by the North Central Association of Colleges and Schools and that provides instruction from a campus located in South Dakota; and
- (5) Enter into the program within five years of graduation from high school or within one year of the student's release from active duty with an active component of the armed forces if the release is within five years of the student's graduation from high school. However,

eligibility is lost if a student attends full-time a regionally accredited university, college, or technical school located outside South Dakota within the five years following high school graduation or within the one year following release from active military service.

A student is eligible to participate in the regents scholarship program for the equivalent of four academic years (eight consecutive spring and fall terms) or until the attainment of a baccalaureate or technical degree, whichever comes first. However, the executive director of the Board of Regents may grant exceptions to the continuous enrollment requirements for good cause shown.

Section 3. If it is determined that a student cannot complete the high school course requirements as provided in Board of Regents Policy Number 2:3(2)(F) as in effect on January 1, 2003, due to the unavailability of the courses of study at the student's high school, the student may be admitted into the regents scholarship program.

Section 4. One-half of the annual scholarship award shall be paid to public institutions on behalf of eligible students there enrolled or directly to eligible students enrolled at nonpublic institutions at the beginning of the fall semester and the other half shall be paid at the beginning of the spring semester. The amount of the annual award shall be as follows:

- (1) One thousand dollars for the first year of attendance;
- (2) One thousand dollars for the second year of attendance;
- (3) One thousand five hundred dollars for the third year of attendance;
- (4) Two thousand five hundred dollars for the fourth year of attendance.

If, in any year, the total funds available to finance the scholarship awards are insufficient to permit each eligible recipient to receive the full amount provided in this section, the available monies shall be prorated and distributed to each recipient in proportion to the entitlement contemplated by this section. The total amount of the scholarship may not exceed six thousand dollars.

Section 5. In order to maintain eligibility, a student shall:

- (1) Maintain a cumulative 3.0 grade point average on a 4.0 scale. Cumulative grade point average shall be calculated after the second semester and every semester thereafter. The student shall complete consecutive spring and fall terms in order to remain eligible for continuation of the scholarship program from term to term. A student whose cumulative grade point average falls below 3.0 on a 4.0 scale shall forfeit the scholarship for the subsequent semester and for subsequent semesters until the student has reestablished eligibility. To reestablish eligibility, the student shall comply with all course load, enrollment, and proficiency examination requirements for continued eligibility stated in this Act, and the student shall achieve a cumulative grade point average of 3.0, or greater, on a 4.0 scale. The scholarship shall be reinstated beginning the semester following that in which the student achieves a cumulative grade point average of 3.0, or greater, on a 4.0 scale. Reinstatement of a scholarship does not extend the time allowed under the scholarship program; any scholarship award forfeited cannot be reclaimed after a student has regained eligibility. A student whose cumulative grade point average falls below 3.0 on a 4.0 scale a second time forfeits the scholarship for all subsequent semesters;
- (2) Complete fifteen credit hours of instruction per semester. The student shall enroll in and complete at least fifteen credit hours of instruction in each consecutive spring and fall term. If the executive director of the Board of Regents determines that a student's failure to enroll or to maintain continued enrollment occurred as a direct result of legitimate factors outside the student's control, or has resulted from the student's participation in an activity that in the executive director's judgment provides knowledge or experience that will enhance the student's academic pursuits, the executive director may extend the student's eligibility to participate in the program for up to two additional years, if the student does not enroll in a noneligible institution; and

- (3) Sit for and pass all sections of a college proficiency exam as required by Board of Regents Policy Number 2.28 as in effect on January 1, 2003, at the end of the sophomore year. The Board of regents may review and adjust the proficiency examinations administered in keeping with sound academic practice. If such changes are made, the Board of Regents shall notify all eligible institutions of new testing standards or requirements. If the student fails to pass the proficiency examinations the first time, eligibility is forfeited for continuation in the scholarship program.

Section 6. The Board of Regents may allocate funds appropriated by the Legislature or funds generated by gifts, donations, grants, or endowments for the purposes of this Act to students qualifying pursuant to section 2 of this Act.

Section 7. The provisions of section 3 of this Act are repealed on July 1, 2005.

Section 8. The Board of Regents shall promulgate rules, pursuant to chapter 1-26, to accomplish the purposes of this Act.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1026

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1026

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State